IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16276 of 2004

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Between:

Uppara Chinna Sanjappa, S/o. Hanumappa,
R/o. H.No. 7/24, Maddikera, Kurnool District.

..... PETITIONER

AND

-

1 Sri Venkateshwar Reddy, The Sarpanch,
Gram Panchayath Board, Maddikera Post,
Kurnol District.
2 The Asst. Executive Engineer, Mandal Parishad,

Maddikera Post, Kurnool District.
3 The District Collector, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of Writ of Mandamus, declaring the action of the respondents in taking steps to lay down C.C. road on the house No. 7/24 with open site of Westernside of Maddikera Village, Kurnool District as illegal, arbitrary and violative of Principles of natural justice and also violative of Art. 14 of Indian constitution and further declare the action of the respondents as illegal as no principles of natural justice followed and no Land Acquisition proceedings are initiated as per law.

Counsel for the Petitioner: MR.H.HARISCHANDRA REDDY

Counsel for Respondent No.1: SMT G. Jyothi Eswar

Counsel for Respondents 2 & 3: G.P. for Panchayat Raj & Rural

Development

The Court at the admission stage made the following :

ORDER:

Petitioner filed this writ petition apprehending that the respondents are taking steps to lay C.C. road on the western side of the premises of H.No.7/24 of Maddikera village Kurnool District, which is belonging to him, without any authority of law.

To quell misgivings of the petitioner, it is needless to observe that no Governmental authority or local body can deprive of a citizen's right over the property without following due procedure prescribed by law. But it cannot be presumed that the respondents without high-handedly and deprive the citizens of their property. If the petitioner deprived of such property without following due procedure prescribed by law, he can approach either this court or civil court and seek necessary relief including that of compensation against the respondents.

The Writ Petition is filed on mere apprehension cannot be entertained and the same is dismissed accordingly at the admission stage.

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A. Gopal Reddy, J.

13th September, 2004.

Note: Wire at party's cost.

B/o

Js.

ASSISTANT REGISTRAR

To

1 Sri Venkateshwar Reddy, The Sarpanch,
Gram Panchayath Board, Maddikera Post,
Kurnol District.
2 The Asst. Executive Engineer, Mandal Parishad,

Maddikera Post, Kurnool District.
3 The District Collector, Kurnool.

4 2 CCs to G.P. for Panchayat Raj & Rural Development, High

Court Buildings, Hyderabad.

5 2 CD copies.